



Sen. Deanna Demuzio

Filed: 3/8/2005

09400SB0629sam001

LRB094 04374 RSP 43077 a

1 AMENDMENT TO SENATE BILL 629

2 AMENDMENT NO. _____. Amend Senate Bill 629 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Renewable Fuels Development
5 Program Act is amended by changing Sections 5, 10, 20, and 25
6 and by adding Section 27 as follows:

7 (20 ILCS 689/5)

8 Sec. 5. Findings and State policy. The General Assembly
9 recognizes that agriculture is a vital sector of the Illinois
10 economy and that an important growth industry for the Illinois
11 agricultural sector is renewable fuels production. Renewable
12 fuels produced from Illinois agricultural products hold great
13 potential for growing the State's economy, reducing our
14 dependence on foreign oil supplies, and improving the
15 environment by reducing harmful emissions from vehicles.
16 Illinois is the nation's leading producer of ethanol, a clean,
17 renewable fuel with significant environmental benefits. The
18 General Assembly finds that reliable supplies of renewable
19 fuels will be integral to the long term energy security of the
20 United States. The General Assembly declares that it is the
21 public policy of the State of Illinois to promote and encourage
22 the production and use of renewable fuels as a means not only
23 to improve air quality in the State and the nation, but also to
24 increase the size of ~~grow~~ the agricultural sector of the

1 Illinois economy. To achieve these public policy objectives,
2 the General Assembly hereby authorizes the creation and
3 implementation of the Illinois Renewable Fuels Development
4 Program within the Department.

5 (Source: P.A. 93-15, eff. 6-11-03.)

6 (20 ILCS 689/10)

7 Sec. 10. Definitions. As used in this Act:

8 "Biodiesel" means a renewable diesel fuel derived from
9 biomass that is intended for use in diesel engines.

10 "Biodiesel blend" means a blend of biodiesel with
11 petroleum-based diesel fuel in which the resultant product
12 contains no less than 1% and no more than 99% biodiesel.

13 "Biomass" means non-fossil organic materials that have an
14 intrinsic chemical energy content. "Biomass" includes, but is
15 not limited to, soybean oil, other vegetable oils, and ethanol.

16 "Department" means the Department of Commerce and Economic
17 Opportunity ~~Community Affairs~~.

18 "Diesel fuel" means any product intended for use or offered
19 for sale as a fuel for engines in which the fuel is injected
20 into the combustion chamber and ignited by pressure without
21 electric spark.

22 "Director" means the Director of Commerce and Economic
23 Opportunity ~~Community Affairs~~.

24 "Ethanol" means a product produced from agricultural
25 commodities or by-products used as a fuel or to be blended with
26 other fuels for use in motor vehicles.

27 "Flexible fuel vehicle" has the meaning set forth in
28 Section 22 of the Alternate Fuels Act.

29 "Fuel" means fuel as defined in Section 1.19 of the Motor
30 Fuel Tax Law.

31 "Gasohol" means motor fuel that is no more than 90%
32 gasoline and at least 10% denatured ethanol that contains no
33 more than 1.25% water by weight.

1 "Gasoline" means all products commonly or commercially
2 known or sold as gasoline (including casing head and absorption
3 or natural gasoline).

4 "Illinois agricultural product" means any agricultural
5 commodity grown in Illinois that is used by a production
6 facility to produce renewable fuel in Illinois, including, but
7 not limited to, corn, barley, and soy beans.

8 "Labor Organization" means any organization defined as a
9 "labor organization" under Section 2 of the National Labor
10 Relations Act (29 U.S.C. 152).

11 "Majority blended ethanol fuel" means motor fuel that
12 contains no less than 70% and no more than 90% denatured
13 ethanol and no less than 10% and no more than 30% gasoline.

14 "Motor vehicles" means motor vehicles as defined in the
15 Illinois Vehicle Code and watercraft propelled by an internal
16 combustion engine.

17 "Owner" means any individual, sole proprietorship, limited
18 partnership, co-partnership, joint venture, corporation,
19 cooperative, or other legal entity, including its agents, that
20 operates or will operate a plant located within the State of
21 Illinois.

22 "Plant" means a production facility that produces a
23 renewable fuel. "Plant" includes land, any building or other
24 improvement on or to land, and any personal properties deemed
25 necessary or suitable for use, whether or not now in existence,
26 in the processing of fuel from agricultural commodities or
27 by-products.

28 "Renewable fuel" means ethanol, gasohol, majority blended
29 ethanol fuel, biodiesel blend fuel, and biodiesel.

30 (Source: P.A. 93-15, eff. 6-11-03; 93-618, eff. 12-11-03;
31 revised 12-6-03.)

32 (20 ILCS 689/20)

33 Sec. 20. Grants. Subject to appropriation from the Build

1 Illinois Bond Fund, the Director is authorized to award
2 Illinois Renewable Fuels Development Program grants to
3 eligible applicants. The annual aggregate amount of grants
4 awarded shall not exceed \$15,000,000.

5 (Source: P.A. 93-15, eff. 6-11-03; 93-618, eff. 12-11-03.)

6 (20 ILCS 689/25)

7 Sec. 25. Project labor agreements.

8 (a) The Illinois Renewable Fuels Development Program
9 project labor agreement must include the following:

10 (1) provisions establishing the minimum hourly wage
11 for each class of labor organization employee;

12 (2) provisions establishing the benefits and other
13 compensation for each class of labor organization
14 employee; and

15 (3) provisions establishing that no strike or disputes
16 will be engaged in by the labor organization employees.

17 The owner of the plant and the labor organizations shall have
18 the authority to include other terms and conditions as they
19 deem necessary.

20 (b) The project labor agreement shall be filed with the
21 Director in accordance with procedures established by the
22 Department. At a minimum, the project labor agreement must
23 provide the names, addresses, and occupations of the owner of
24 the plant and the individuals representing the labor
25 organization employees participating in the project labor
26 agreement. The agreement must also specify the terms and
27 conditions required in subsection (a).

28 (Source: P.A. 93-15, eff. 6-11-03.)

29 (20 ILCS 689/27 new)

30 Sec. 27. E85 Vehicle Encouragement Program.

31 (a) The Department shall create and administer the E85
32 Vehicle Encouragement Program. Under this Program, the

1 Department must solicit and collect applications from persons
2 who have purchased a flexible fuel vehicle within the 12-month
3 period prior to submitting the application. At the end of each
4 calendar year, the Department must compile all approved
5 applications, divide 95% of the moneys in the E85 Vehicle
6 Encouragement Fund by the number of approved applications, and
7 distribute these equal shares to the approved applicants. The
8 Department shall adopt necessary rules to implement this
9 Section, including rules for the solicitation, collection, and
10 approval of applications and for the distribution of grants. No
11 grant shall exceed 10% of the purchase price of the vehicle. If
12 any moneys in the Fund are carried over between fiscal years as
13 a result of this 10% cap or for any other reason, the moneys
14 shall be distributed in the following fiscal year as provided
15 under this Section. Only one distribution shall be made to the
16 owner of any vehicle during the life of that vehicle.

17 (b) The E85 Vehicle Encouragement Fund is established as a
18 special fund in the State treasury. Moneys in the Fund may be
19 used, subject to appropriation, only for the purposes set forth
20 in this Section. Interest earned on moneys in the Fund must be
21 deposited into the Fund. Each calendar year 95% of the Fund
22 must be distributed as grants under this Section. The
23 Department may retain 5% of the moneys in the Fund for
24 administrative costs of the Program.

25 (c) The Department shall have access to Secretary of State
26 motor vehicle registration records and other State records to
27 enable verification of these applications.

28 Section 10. The State Finance Act is amended by adding
29 Section 5.640 as follows:

30 (30 ILCS 105/5.640 new)

31 Sec. 5.640. The E85 Vehicle Encouragement Fund.

1 Section 15. The Illinois Procurement Code is amended by
2 adding Section 25-70 as follows:

3 (30 ILCS 500/25-70 new)

4 Sec. 25-70. Motor vehicles.

5 (a) Each motor vehicle that burns gasoline and that is
6 purchased under a State contract awarded after July 1, 2006,
7 must be capable of burning majority blended ethanol fuel, as
8 defined in Section 10 of the Illinois Renewable Fuels
9 Development Program Act, in place of gasoline or gasohol.

10 (b) Each motor vehicle that burns diesel fuel and that is
11 purchased under a State contract awarded after July 1, 2006,
12 must be capable of burning biodiesel or blended biodiesel fuel,
13 as defined in Section 10 of the Illinois Renewable Fuels
14 Development Program Act, in place of diesel fuel.

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.".